

PTO/SB/24A (08-03)

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**PETITION FOR EXPRESS  
ABANDONMENT TO AVOID  
PUBLICATION UNDER 37 CFR 1.138(c)**

Fax the petition directly to the  
Pre-Grant Publication Division at (703) 305-8568  
Or Mail the petition to:  
Mail Stop PGPub-ABD  
Commissioner for Patents  
P.O. Box 1450, Alexandria, VA 22313-1450

Application Number	10/801,264
Filing Date	March 16, 2004
First Named Inventor	James G. McElroy
Art Unit	3749
Examiner Name	
Attorney Docket Number	1086-00801 DAR

**Petition for Express Abandonment to Avoid Publication under 37 CFR 1.138(c)**

I hereby petition to expressly abandon the above-identified application to avoid publication.

**Petition Fee** – must be filed with petition to avoid delays in recognizing the petition.

- a. ☒ The Director is hereby authorized to charge the petition fee under 37 CFR 1.17(h) to  
Deposit Account No. 03-2769
- b. ☐ Check in the amount of \$ \_\_\_\_\_ is enclosed.
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**NOTE:** A paper requesting express abandonment of an application is not effective unless and until an appropriate USPTO official recognizes and acts on the paper. See the Manual of Patent Examining Procedure (MPEP), section 711.01. In addition, the paper will not stop publication of the application unless a petition under 37 CFR 1.138(c) is recognized and acted on by the Pre-Grant Publication Division in sufficient time to avoid publication (e.g., more than four (4) weeks prior to the projected publication date).

I am the: ☐ applicant, 09/16/2004 KING1 00000002 032769 10801264  
01 FC:1460 130.00 DA

☐ assignee of record of the entire interest. See 37 CFR 3.71.  
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)

☒ attorney or agent of record. Registration Number \_\_\_\_\_



OK FOR ABANDONMENT

September 16, 2004

Signature

Date

David A. Rose

SEP 16 2004

(713) 238-8000

Typed or printed name

Telephone Number

PG PUB DIVISION

INITIALS BJD

Note: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required. See below.

☒ Total of 1 forms are submitted.

This collection of information is required by 37 CFR 1.138(c). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Information on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: MailStop PGPub-ABD, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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